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Leftist Political Violence: From Terrorism to Social Protest

Michael Loadenthal, Ph.D.

Overview

- Terrorism is a difficult to define label, and its application controlled by state authorities (e.g. Executive, courts, legislature, police, military). It is typically used to denote forms of political contestation that challenge the government in symbolic, rhetoric, and practical terms. Because of this patterned application, *terrorism* fails to adequately describe acts, and instead is a means of defaming a particular tactic, strategy, organization, ideology or individual.
- The labeling of leftist violence and rightist violence is done irregularly with leftists frequently labeled and prosecuted as *terrorists* and rightists typically described and framed through other discourses such as *extremism*.
- The first wave of global terrorism is often associated with the rise of individual anarchists targeting heads of state in the 19th century, and while this era saw kings and presidents slain by leftists, it promotion of *propaganda of the deed* declined by World War II.
- The 1960s saw a landmark rise in networks and organizations of Marxist-Leninist and other leftists adopting violent means (e.g. bombing, armed robbery)—frequently labeled as terrorism—in their opposition to the War in Vietnam, national liberation (e.g. Puerto Rico), and the larger socio-political environment framed as US-led imperialism.
- In the 1980s, when the Marxist-Leninist vanguards declined, they was replaced by a rising tide of clandestine animal liberation networks, and by the 1990s, the addition of environmental campaigns of sabotage, vandalism and arson—labeled by the government as "eco-terrorism." Though these networks did not employ *lethal* means, due to the frequency of their attacks and their large financial cost, they were quickly cast as domestic terrorists and a premier target for further criminalization through the rhetoric of terrorism.
- Around the millennium, the left engaged in a series of large-scale counter-summit street protests, which frequently involved the use of property destruction and clashes with police. Following the attacks of 9/11, these leftist tactics were further criminalized through a rhetorical association with terrorism, and thus a movement on the rise was quickly curtailed.
- Following the discursive shift equating civil disobedience and disruptive protestors as "terrorists" occurring after 9/11, in the early months of 2017, legislative and policing practices have demonstrated a renewed desire to recast demonstrators as an existential danger to the state and national security—this time by framing "demonstrators" as "rioters" if property destruction occurs within the demonstration.

The Problem of Defining Leftist *Terrorism*

This discussion of "leftist terrorism" in the United States must begin with a few key disclaimers the reader should keep in mind throughout. First, the discourse on which acts of political violence receive the distinction of *terrorism* is a political question, not a question of tactics, casualties or legality. Instead, it is a question of rhetoric, discourse, and ideology, and how these coalesce to form laws and other state policies. Since the state (i.e. government, police, military, civil and municipal bureaucracy, etc.) determines this rhetoric and writes and enforces the laws, what is

termed terrorism amounts to violence enacted by a non-state actor that is *perceived* to challenge the state[1]. These non-state actors do not typically represent an *existential* threat to the state—a threat that would call into question its fundamental nature or existence—and as such, the treatment of militant social protest as a potentially destabilizing force often appears bombastic. Noted terrorism scholar Paul Wilkinson, in his discussion of how democracies respond to non-state violence, describes these "new Marxist and anarchist far left" groups as "more analogous to tiny gangs of bandits than to serious political movements."[2] If we accept Wilkinson's claim, then one must call into question the state's tendency to paint leftist networks as *terroristic* threats that must be confronted in order to maintain the functioning of the republic.

In a 1919 lecture, Max Weber famously argued that states must maintain a 'monopoly on violence' in order to remain a sovereign power.[3] For Weber, if an entity that was not the state was able to produce its own violence, this detracted from the legitimacy of the state (as well as statist violence), and can call into question the centrality of the nation's sovereignty. Weber goes on to describe the state as "a human community that (successfully) claims the monopoly of the legitimate use of force within a given territory."[4] If we accept Weber's framework, then any manner of social protest that violates the law *and* interferes with the state's ability to claim a monopoly on violence can be understood as a threat, and is thus more likely to receive a defamatory label and additional repression. While such a framework does not serve to *define* terrorism, it does serve as a conceptual litmus test in evaluating the definitions offered by various entities constituting the state. While nearly every agency and institution (e.g. the Department of State, the Department of Justice) maintains its own definition of terrorism, for it's part, the Federal Bureau of Investigation (FBI) defines domestic terrorism as:

> The unlawful use, or threatened use, of violence by a group or individual based and operating entirely within the United States (or its territories) without foreign direction committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.[5]

In examining this definition it is important to note that it includes *only* illegal acts not directed by a foreign agent (thus excluding attacks linked to Foreign Terrorist Organizations such as al-Qaeda), and *includes* attacks on both persons and property, the latter being a hallmark of leftist targeting.

In other statements, the FBI has simplified this notion of "*domestic* terrorism", explaining it as "Americans attacking Americans based on U.S.-based extremist ideologies."[6] Certainly other definitions of *terrorism* exist, and many of which, when compared to the actions of domestic leftists, simply do not make analytical sense. For example, Bard E. O'Neil, a professor at the National War College in Washington, D.C. and the Director of the college's study of the Middle East, insurgency and revolution, authored a book entitled Insurgency & Terrorism which is considered required reading for many studying terrorism. In this book, O'Neil defines terrorism as a "form of warfare in which violence is directed primarily against noncombatants (usually unarmed civilians), rather than operational military or police forces or economic assets (public or private)."[7] As this history will demonstrate, leftist violence when compared to other ideological forms tends to *avoid* targeting noncombatants, and instead, directs its destructive force at military, police, and economic targets, typically through the damaging of symbolic *property*. Based on O'Neil's definition, much of what is determined to be "leftist domestic terrorism" could better be described under a different label.

From a state perspective, terrorist violence is different from criminal violence[8] because it engages in illegal forms of socio-political change through means that the state would like to reserve for itself. Therefore, the academic and historical study of *terrorism* is precisely those acts that the *state* determines to be terroristic. Consequently, when the subject is *leftist* political violence, this is especially important as the label is used to denote a loosely defined milieu, most

centrally based around the rejection of capitalism and/or the state. Therefore, in discussing leftist political violence, we are often faced with the state defining its own opponents, including anarchists, anarcho-syndicalists, Marxists, Leninists, Maoists and other Communists, Black Liberationists, anti-fascists, Animal/Earth Liberationists and a variety of other identity-based or issue-based struggles.

To provide a bit more of a substantive background to this classification, we can examine scholarly works commonly included in the study of terrorism. One such work, Walter Laqueur's Voices of Terror, approaches the task of curating the "manifestos, writings and manuals of Al Qaeda, Hamas, and other terrorists from around the world and throughout the ages."[9] By examining whom Laqueur includes as foundational to the 'voices of the [leftist] terror' one can observe how these labels are derived. For Laqueur, he includes both a "Socialism and the Armed Struggle" and a "Guerrilla Doctrine Today" chapter, based around the work of anarchists Johann Most and Abraham Guillen, as well as a host of Communist/Socialists including Auguste Blanqui, Karl Marx, Friedrich Engels, James Connolly, Vladimir Lenin, Mao Tse-tung, Lin Piao, Che Guevara, Regis Debray and Carlos Marighella. While these men will not appear in the historical account which makes up this chapter, their ideas of 'propaganda of the deed' (*Most*), revolution through clandestine, small group conspiracy (*Blanqui*), and strategies of non-traditional, and guerrilla warfare (*Guevara, Debray, Tse-tung, Guillen, Marighella*) are recurrent themes throughout the genealogy of leftist militancy.

As a historical project, reconstructing a subject-driven history for a reader is inherently a subjective task of deciding what to include and what to exclude. The historical account that is to follow takes a liberal approach to the important questions of taxonomy and the power of labels. In other words, for nearly all cases presented, an argument could be made why that particular act of political violence should be included or excluded from a historical account of terrorism. For example, in a society embroiled in poverty, racial injustice and police brutality, are the actions of the Black Liberation Army (BLA) robing armored cars a crime, terrorism, or something defensive? What about Animal Liberation Front (ALF) cells who use arson to burn down a facility used to slaughter wild horses? Are these actions terrorism, crime, political crime, or strategic, valid social protest? What about Puerto Rican Liberationists trying to gain self-determination and national sovereignty through militant means? Are their actions social protest, secessionist terrorism, or something more difficult to define?

This growing ambiguity has not escaped the attention of those who construct the discourse on terrorism, namely federal authorities and law enforcement. In its 1999 annual report on terrorism, the FBI has a one page aside tilted "Vandalism or Terrorism?", which features an image of ALF graffiti and states:

> In recent years, it has become increasingly difficult to differentiate acts of terrorism from acts of vandalism, especially as the level of activity undertaken by animal rights and environmental extremists has grown in intensity and scope.[10]

The FBI report goes on to note that several actions by activists "did not meet the FBI's threshold for designation as acts of terrorism, but [were carried out by]…individual domestic extremists or extremist movements such as the ALF, [Earth Liberation Front] ELF." In these cases, as the report states, the FBI "provides support and assistance to the primary investigating agencies."[11] Therefore, it seems that even the FBI has difficulty distinguishing militant protest from coercive political violence, and though their questioning of this taxonomy is far from critical, these questions remain unanswered.

This short discussion is meant to raise important questions which exist beyond the scope of this chapter. These questions of ambiguity and asymmetric labeling require individual consideration, a historical background, and measured investigation. While it may be easy for us to understand and judge an animal liberationist arson in the 21st century, it is far more difficult to

contextualize and understand the drivers that led the anarchist bombers of the 19th century to kill world leaders, bankers, industrialists, and police.

This author does not agree with how these groups, methods, ideologies, and individuals are labeled as "terrorists", however, for the sake of producing a descriptive account of the subject, the discussion that proceeds is based upon those entities that are ***commonly included in a discussion of leftist terrorism in the United States*** within the academic and historical study of terrorism.

This investigation begins from this state-defined and derogatory label, despite the fact that this distinction is more often than not a mark of defamation rather than description.

Distinguishing Leftist & Rightist Political Violence

The discourse and history concerning 'leftist political terrorism' if fraught with value judgments, misleading nomenclatures and uneven comparisons which attempt to equate its actions to that of rightist networks. The classical rhetorical question—'Terrorist or freedom fighter?'—exemplifies this chasm. Labels such as "extremist", "revolutionary", "militant", and "terrorist" each embody certain conclusions contained within the nuance of the term. To begin differentiating these histories, it is helpful to first make two generalizations. First, leftist violence is decidedly less lethal than other forms (e.g. right-wing, ethno-nationalist, etc.) of violence, and furthermore, the means and targeting patterns employed by leftists tend to prioritize avoiding civilian casualties.[12] As noted terrorism studies scholar Bruce Hoffman explains in his classic text, Inside Terrorism:

> Whereas left-wing terrorists like the German [Red Army Faction] RAF and Italian [Red Brigade] RB have selectively kidnapped and assassinated persons whom they blamed for economic exploitation or political repression, terrorists motivated by a religious imperative have engaged in more indiscriminate acts of violence, directed against a far wider category of targets encompassing not merely their declared enemies, but anyone who does not share their religious faith.[13]

This desire to avoid alienating the masses is reflective of the manner through which the left in general understands social change. While many of the Marxist-Leninist cadres were decidedly vanguardist, they still envisioned a manner of popular revolt that involved the working class (i.e. international proletariat) taking power. For this to occur, the armed units that constitute the vanguard must be loved and cherished by the people, something difficult to achieve if the population is made to feel unsafe due to frequent explosions in sites of leisure, business, and transport. It is for this reason that leftist violence tends to target *property* or *individual*s, while avoiding more indiscriminate forms of mass violence common in rightist, ethno-nationalist, separatist, and other manners of violent politics. Therefore, while ethno-nationalist violence aims to inspire fear, uncertainty, and a feeling of insecurity amongst a target group (e.g. English Protestants in Northern Ireland, Russians in Chechnya), leftist violence is designed primarily as a propaganda tool, and secondarily as a manner through which one can attack the state and capital. Leftists prioritize an ethical and strategic connection between the means through which one struggles and the revolutionary vision one seeks to foster—something anarchists refer to as prefiguration[14].

In this manner, leftist political violence, while designed with the same spectacular, highly dramatic intent as other forms of political violence, is more tailored to avoid injuring the wider population. Hoffman argues that this represents the left's desire to produce violent protest and resistance that "appeal[s] to their perceived 'constituencies'", as according to one RAF militant, "the deliberate involvement of innocent civilians in [a] terrorist operation was not only counterproductive, but wrong."[15] Furthermore, the wider populations—if we were to divide them

into the binaries of 'conservative' and 'liberal'—follow similar patterns for the interpretation of violent acts. Liberals tend to accept the notion that political violence may "reflect authentic social grievances that need to be remedied by reforms, and perhaps social change."[16] This differs from the more conservative interpretation of non-state political violence, which views such actors as an external *threat* with international connections, and *not* the result of legitimate or potentially legitimate social, political, and economic grievances.

These discursive and rhetorical patterns help to explain not only how those sympathetic to the plight of the marginalized may interpret violent acts, but also how the violent actor understands its own position vis-à-vis the wider civilian population. In distinguishing leftist attacks from others forms, neo-Nazi, jihadist, and nationalist-separatist movements have frequently deployed lethal violence more indiscriminately and with less regard for civilian casualties. Hoffman describes such rightist violence as "sporadic and uncoordinated, seemingly mindless [and] fueled as much by beer and bravado as by a discernible political agenda."[17] He also notes that ethno-nationalist violence tends to involve violence and destructive campaigns, but that this targeting "has largely been restricted to a specially defined 'target set': namely, the members of a specific rival or dominant ethno-nationalist group."[18]

Secondly, the 'violence' enacted by leftists, tends to be both symbolic and targeting inanimate property, not human beings. For example, a leftist group angry at police is far more likely to use an incendiary device to burn a police car (symbolic attack on property) than they are to open fire inside of a police station (direct attack on people). According to empirical research, and as reported by the Department of Homeland Security (DHS), attacks by left-wing groups, individuals, and networks tend to avoid human casualties, and rely on means such as "property destruction, vandalism, arson and fire bombings [sic], sabotage, and violent protests."[19] This framing confirms that leftists are not employing murder and attacks on civilians designed to intimidate a target community. Instead, leftist groups in the modern era are focused on damaging property and economically sabotaging the properties of state and corporate entities. Furthermore, leftist targeting patterns tend to favor the symbolic rather than the instrumental. For example, while one could envision leftists vandalizing or destroying a military monument, it would be unheard of in the modern context to hear of leftist attacking a military facility as Nidal Hasan did in 2009, or holding an armed occupation and standoff with federal law enforcement as Ammon Bundy did in 2016, and his father Cliven Bundy helped to organize in 2014.

One exception to this pattern of symbolic targeting are the actions of the ALF which tend to target food and clothing retailers, as well as fur farm facilitates, which have often impacted the industry's ability to profit. Anarchist and Marxist attacks on the state and capital have tended to identify large social strife (e.g. poverty) in identifiable, yet symbolic targets (e.g. a bank branch) while so-called "eco-terrorists" have interrupted supply chains, canceled contracts between multinational corporations and affiliates, and bankrupted a variety of animal breeding facilities, fur stores, and other businesses. The ALF specifically has been able to force companies to change policies to avoid further financial loss. In one small example, S.C. Johnson & Sons announced in 2013 that it was ceasing its use of mink oil, and removing all products from stores that contain the ingredient following reports of activists tampering with products and placing them back on shelves.[20] These patterns distinguish leftist political violence from that emanating from the right, as the latter tends towards non-symbolic, and lethal attacks on individuals and institutions defined by religion, race, ethnicity, and 'religiously-legislated' practices such as abortion and homosexuality.

With these key patterned distinctions in mind, the subsequent sections will explore the history of leftist domestic terrorism in the US through four key eras: the late 19th century, the 1960s, 1980s and 1990s.

'Long Live Dynamite!': The 'Anarchist Wave' of Terrorism

The history of leftist political violence in the US is often grounded in the so-called 'anarchist wave of terrorism'. According to political scientist David Rapoport, the history of terrorism since the 19th century can be divided into four waves, beginning with the anarchist wave.[21] During this time, beginning in the 1880s and ending in the 1920s, anarchists carried out direct, and often lethal attacks targeting heads of state, members of the industrialist and capitalist class, and sites of opulence and wealth in cities. This is of course not the first act of violent socio-political contestation in the US. As Rapoport notes, "secular rebel terrorists" prior to the anarchist rise in the 1880s included the Sons of Liberty's opposition to the Stamp Act, and the Ku Klux Klan's campaign against federal Reconstruction. The late 19th century rise of the anarchist militant coincided with similar movements in Europe, such as the secretive network Narodnaya Vola [The People's Will] in Russia who was responsible for the assassination of Tsar Alexander II in 1881, calling the act "self-defense" in the form of "capital punishment."[22]

Around the turn of the century, anarchists became most known for their promotion of 'propaganda of the deed'—a form of political action that sought to demonstrate political critique through direct attacks. The famed anarchist Peter Kropotkin, spoke of *propaganda of the deed*, arguing:

> By actions which compel general attention, the new idea seeps into people's minds and wins converts. One such act may, in a few days, make more propaganda than thousand pamphlets. Above all, it awakens the spirit of revolt.[23]

In these acts of armed propaganda, anarchist carried out small group attacks against the state and capital, differentiating written propaganda from demonstrative acts. This strategy carried with it the belief that "the population bearing witness to these acts would see both the fallibility of power AND would rise up to fill this void."[24] These attacks tended to target symbolic figureheads often framing attacks as a reaction to forms of systemic and structural violence[25]—such as poverty or social exclusion—highlighted in the anarchist critique of the state. Notable events of the era include the 1892 attempted assassination of US industrialist Henry Clay Frick—accused of anti-union activity—by anarchist Alexander Berkman, and the Haymarket bombing, which occurred in Chicago in 1886. These attacks would most infamously be remembered by recalling the assassination of US President William McKinley in 1901. McKinley was killed inside the Temple of Music at the Pan-American Exposition in Buffalo, New York by anarchist Leon Czolgosz who shot the President twice in the abdomen.

These sorts of attacks were given a further advancement when noted Italian anarchist militant Luigi Galleani arrived in the US in 1905 and published a pamphlet "*Salute* è *in Voi"* [The Health is Within You], which instructed readers in the manufacturing of explosives. This pamphlet was used by anarchists who placed bombs at the home of John D. Rockefeller on 4 July 1914, in retaliation for the industrialist's role in the repression of striking miners in Colorado.[26] "The Health is Within You" was also found in the home of an anarchist cell who attempted to place a bomb at St. Patrick's Cathedral in New York, but were arrested by an undercover officer embedded in the group. In 1916, Alfonso Fagotti stabbed a police officer at a demonstration in Boston, and the following day, bombed a police station. Later that year on 22 July, a suspected anarchist militant placed a bomb hidden in a suitcase at the Preparedness Day parade in San Francisco. The device detonated and killed ten individuals, injuring an additional 40. Similar bombings targeted a Milwaukee police station in 1917, various state-centric targets in Philadelphia in 1918, and the American Woolen Company in 1919. In April of 1919, 36 dynamite-fashioned explosive devices were mailed to US government officials, servants of the court, and businessmen, and on 2 June 1919, nine pipe bombs packed with shrapnel exploded nearly simultaneously in New York, Boston, Pittsburgh, Cleveland, Patterson, Philadelphia and Washington, D.C.[27]

These bombings, shootings, and stabbings were carried out for a variety of political and idiosyncratic reasons, and were positioned within a larger era of anti-state and anti-capitalist social upheaval, often intersecting with popular social movements such as those in support of labor rights, birth control, or opposing war. This surge in attacks would eventually decline, spurred on by unpopular strikes such as the Wall Street bombing of 1920 in which anarchist bombs killed thirty people and injured more than 140. Through anti-immigrant and anti-leftist legislation and police actions such as the Palmer Raids and the focused attention of J. Edgar Hoover's newly focused FBI, by World War II, anarchist attacks against the state in the US had nearly vanished, opening the door for what followed.

'Bring the War Home!':
Marxist-Leninist Cades Resisting the War in Vietnam

Beginning in the early 1960s, the US began to experience a newly invigorated movement of militant attack associated with what was commonly termed the "New Left", with obvious influence from the swell of international Sovietism. In this time period, while anarchist means and critique remained a key background, on the surface it became overshadowed by the growth of Marist-Leninist groups, many of which grew out of the anti-colonial movements of the early 20th century. The FBI, in its characterization of the revolutionary left, distinguished it as those who "generally profess a revolutionary socialist doctrine and view themselves as protectors of the people against the 'dehumanizing effects' of capitalism and imperialism."[28] According to the FBI, these groups "aim to bring about change in the United States and believe that this change can be realized through revolution rather than through the established political process."[29] Following the rise and decline of previous anti-colonial movements embodied in the Irish Republican Army's fight against Brittan, and Palestinian resistance to Zionism (as well as the anti-British attacks by Zionists such as Fighters for the Freedom of Israel/Lehi), the US-led war in Vietnam provided the requisite background for a new period of violence.

Many leftists interpreted the Vietnam War as a battle between the forces of imperialism and those of the Third World. This frame meant that US and European revolutionaries developed an analysis and practice that sought to 'bring the war [in Vietnam] home [to the US],' and to exploit the seeming vulnerability of the US who was fighting a loosing war. The strides made by the Viet Cong against US forces inspired a generation of revolutionaries who saw the failing war effort as the harbinger for wider change. This led to the development of a variety of armed groups in the "First World" in support of so-called "Third World" revolutions, including those raging in southeast Asia. Internationally, this included the development of the Red Army Faction in West Germany, the Red Brigades in Italy, Action Directe in France, and the Red Army in Japan. In the US the group most well known in this regard is the Weather Underground Organization (WUO). It is during this time that the FBI operates its counter-intelligence program, aptly named COINTELPRO. Within this program, the FBI has admitted to conducting 2,218 separate "actions" which include at least 2,305 warrantless phone taps, 697 electronic listening devices, and 57,846 intercepted correspondences.[30]

In constructing this history, it is important to note that in the mainstream study of terrorism at large, these 1960s-era vanguards represented an apex for 'domestic leftist terrorism' and after their decline, so would the left's domestic use of lethal violence. To cite only one such framing, in Gus Martin's widely used textbook <u>Essentials of Terrorism</u>, now in its fourth edition, the author writes that "the modern American left is characterized by several movements that grew out of the political fervor of the 1960s."[31] Martin is quick to point out the separation between "extremists" such as Students for a Democratic Society (SDS) and the Black Panther Party for Self-Defense, noting that *extremist* movements were not "fundamentally violent…[and the groups] not terrorist movements."[32] Martin goes on to explain, "extremist trends within [extremist groups] led to factions that sometimes espoused violent confrontation, and a few engaged in

terrorism."[33] Martin is also the author of Understanding Terrorism (now in its fifth edition) which maintains a similar approach, further drawing a distinction between "fringe-left ideology", defined as "usually an extreme interpretation of Marxist ideology, using theories of class warfare or ethnonational liberation to justify political violence," and "far-left ideology", defined as "apply[ing] Marxist theory to promote class or ethnonational rights…[but] not necessarily engag[ing] in political violence…often participat[ing] in democratic processes."[34] Martin focuses his analysis on Marxism and anarchism for his investigation of the Left and fascism for the Right.

Additionally, it is worth reviewing a second standard terrorism text frequently adopted. Brigitte Nacos' Terrorism and Counterterrorism (in its fifth edition) is a battle tested favorite as its consistent revision and republication demonstrates. In Nacos' work focusing on leftist terrorism in the US, she mirrors the historical account of Martin, beginning with the anarchists of the early 1900s, before moving onto the Marxist-Leninist vanguards of the 1960s such as the WUO, Black Panther Party for Self Defense, and Symbionese Liberation Army (SLA). Interestingly, Nacos' framing relies on a causal connection between the war in Vietnam and the rise of "extreme left" terrorism, explaining:

> The left-wing groups in the United States that turned to terrorism in the 1960s and 1970s as a result of the Vietnam War and the civil rights struggles were inspired by Marxist ideology, but at the beginning of the twenty-first century, these kinds of 'extreme-left' terrorist groups did not exist in the United States.[35]

This portrayal is notable as it describes leftist political violence as a relatively modern import to the US, implying that while it had operated elsewhere in the century prior, it took the anti-Vietnam countercultural reality to open up a space for its entry into an American context.

Using Martin and Nacos' nomenclatures, 1960-1970s-era *terrorism* from the left is typified by the WUO, SLA, BLA, Fuerzas Armadas de Liberación [the Armed Forces for National Liberation] (FALN), the May 19 Communist Organization (M19CO) and the United Freedom Front (UFF). These will briefly be profiled below:

- **WUO:** Active from 1969-1977 originating as an outgrowth of SDS. The group was based around opposing the war in Vietnam, supporting the movement for Black Power, and generally opposing US militarism and imperialism. The WUO engaged in jailbreaks, militant street demonstrations (e.g. The Days of Rage), expropriations (i.e. armed robberies), small arms attacks, and at least 40 bombings, typically targeting government property.
- **BLA:** Active from 1970-1981 and formed by former members of the Black Panther Party. The Fraternal Order of Police claim that BLA members are responsible for killing up to 13 officers, while the Department of Justice links them to more than 70 attacks including bombings, bank robberies, murders (e.g. ambushes and assassinations of police), and a 1972 airplane hijacking.
- **SLA:** Active from 1973-1975 and self-described as a symbiosis and unification of diverse leftist struggles including those against racism, patriarchy, colonialism, imperialism and capitalism. The SLA carried out expropriations, kidnappings and assassination.
- **FALN:** Active from 1974-1983 and focused on furthering independence for Puerto Rico through a campaign of bombing. Called the "most prolific terrorist organization in U.S. history"[36], the FALN carried out up to 130 bombings in the US during their period of activity as well as numerous armed robberies. Most bombings targeted property, but FALN attacks did manage to kill at least five individuals and injure more than 60.
- **UFF:** Active from 1975-1984 and responsible for at least 20 bombings and nine bank robberies in the US. The UFF spoke out against US foreign policy in Central America and the struggle against apartheid in South Africa. Although UFF bombs were not designed to kill (as

the bombers issued warnings), a 1976 courthouse bombing injured 22 people. The FBI stated, "the demise of the UFF…was emblematic of the left's declining fortunes [in the mid 1980s]."[37]

- **M19CO:** Active from 1978-1985 and formed from members of BLA, WUO, Black Panther Party and the Republic of New Africa. The organization sought to free political prisoners (including members of the BLA and FALN), expropriate capital from banks and other institutions, and engage in warfare against the state through a bombing campaign. M19CO focused on confronting US imperialism and racism, and while their bombings did not kill, three officers were killed in an armored car robbery in 1981.

It should be noted that both Nacos and Martin's listings are incomplete, and excludes notable militants of the era such as the George Jackson Brigade (1975-1977) and MOVE (b. 1972), both founded in the 1970s. The George Jackson Brigade was a Washington-based urban guerrilla group that carried out an estimated 20 bombings and seven bank robberies in their short two-year period of activity. Their attacks target governmental sites (e.g. Department of Corrections), infrastructure (e.g. City Light Substation), and local businesses accused of racist practices and seen to be acting against the interest of proletarian labor (e.g. Safeway Market).[38] The Brigade was unique in its membership, as its ranks were made up of former prisoners, students; half of which were women, and many of which were Queer.[39] The group known as MOVE, is a Philadelphia-based militant Black liberation and eco-consciousness movement best known for their standoff with the Philadelphia police in 1985 that ended in the death of eleven members, including five children. In this incident, police attempted to force MOVE members from their home by setting fire to the building via an air-dropped explosive device. The bomb set fire to the building and destroyed more than 65 homes and the death of many MOVE members. The siege of the MOVE building marks an important milestone in the use of militarized means for the policing of political dissidents.[40] In the arrest warrant that lead to the deadly confrontation, MOVE members were charged with multiple counts, including "making terrorist threats", and the Mayor and Police Commissioner similarly classified MOVE as a "terrorist organization."[41]

Overall, these domestic revolutionary groups declined in the late 1970s and into the 1980s. When the Soviet Union collapsed around 1989, some networks were further pushed into irrelevance and instability as they lost both an ideological stalwart as well as a national sponsor. In its historical accounting, contained within the FBI's 1999 annual report on terrorism, the agency explains:

> From the 1960s to the 1980s, leftist-oriented extremist groups posed the most serious domestic terrorist threat to the United States. In the 1980s, however, the fortunes of the leftist movement declined dramatically as law enforcement dismantled the infrastructure of many of these groups, and as the fall of Communism in Eastern Europe deprived the movement of its ideological foundation and patronage.[42]

It is important to note that while many leftist groups had ideological, rhetorical, and symbolic backing from the Soviet Union (e.g. Cuba's perceived support for the BLA), this does not imply that Soviet forces or their affiliated intelligence agencies directed these networks. For example, while the Central Intelligence Agency had contact with segments of the Algerians fighting French colonialism, or the Afghanis fighting Russian take over in their country, the Agency did not create or *direct* these movements.[43] This decline in Marxist-aligned and state-supported groups that coincided with the 1980s would soon open up new spaces for militant action, focused in new ways and through new means.

'No Compromise in Defense of Mother Earth!': The Importing of Animal Liberation & Environmental Networks

As the Marxist-Leninist cadres were declining and their campaign of bombings and armored car robberies ending, militant struggle among leftists took a decidedly distinct turn as networks formed in defense of animal lives and the environment. Though the networks embodied in the Animal Liberation Front (ALF) and its later incarnation, the Earth Liberation Front (ELF) have their roots in the UK, they quickly internationalized. Their history can be most clearly dated to 1971[44] when the Hunt Saboteurs Association was formed to interfere in animal hunts in the UK by scaring off prey with horns and animal scents. This was followed by the founding of the Band of Mercy in 1972, which introduced the tactics of vandalism, sabotage, and arson in defense of animals. Band of Mercy activists vandalized the vehicles of hunters—rather than interfering in active hunts—and deployed arson as a form of sabotage to destroy property belonging to animal testing laboratories and seal culling boats. The Band also introduced the tactic of "animal liberation", wherein live animals are released or removed from sites of captivity before being rehabilitated and placed in new homes.

After four years as the Band of Mercy, activists in England factionalized and formed the ALF as a clandestine, moniker-driven network dedicated to "inflicting economic damage on those who profit from the misery and exploitation of animals."[45] The ALF further stated that it was focused on liberating animals from "places of abuse" and to "reveal the horror and atrocities committed against animals behind locked doors."[46] In 1976, the ALF carried out its first animal liberation, targeting a fur farm in Scotland, and by 1977, it had seen its first international claim, with the ALF moniker being used to sign a communiqué in the Netherlands. It took two more years for the ALF name to reach the US, but in 1979 self-identified ALF activists carried out a raid of the New York University Medical Center, and in 1981, the moniker was used to claim responsibility for a raid targeting an animal research laboratory in Silver Spring, Maryland.

Between 1979-2010, the ALF and its allies (including the ELF) carried out at least 2,900 actions in the US.[47] Typically these acts are carried out by small groups of individuals, at night, through illegal, accessible means. In a typical incident, an ALF/ELF activist may throw a brick through the window of a fur retailer and graffiti a slogan on the storefront. In the more infamous incidents, activists have used improvised incendiary devices (e.g. a bottle, filled with gasoline, and affixed with a road flare) to damage property, once again, avoiding injury to humans and non-human animal life. In attempting to characterize this 'attack' history, this author located, triangulated, and coded more than 27,000 strikes occurring globally, and analyzed the incident-based data for descriptive patterns.[48] These findings are displayed in the table below, limited to only those strikes which occurred in the US.

"Eco-terrorism" tactical trends, United States, 1972-2010

TACTIC CATEGORY	**% of Dataset**
Vandalism	61.3%
Sabotage	14.3%
Arson	11.0%
Animal liberations	10.1%
Anti-personnel tactics (APTs)	1.8%
[redacted]	
Total	**100% (2,911 incidents)**

From this analysis, it is obvious that "eco-terrorists" at large, and the ALF/ELF specially, are largely engaged in vandalism and sabotage (nearly 76%), and in less than 2% of cases, adopt tactics designated to injure or kill (i.e. APTs)—such as the detonation of improvised explosive devices (12 incidents), or the mailing of small yield explosive packages (11 incidents).

Typical methods of vandalism include graffiti, glass etching, the smashing of windows, placing glue into locks, and slashing tires. In these incidents attacks have tended to target fur and leather retailers and restaurants, particularly fast-food restaurants such as McDonalds and KFC. Typical methods of sabotage involve the intentional destruction of machinery such as construction equipment or laboratory instruments, or the damaging of retail items. It should be noted that these tactical trend figures represent the "eco-terrorist" activity in the US generally, not the ALF/ELF specially. When non-ALF/ELF "eco-terrorists" (or those termed such by the government) are removed from the sample, the use of lethal tactics drops significantly. For example, since the US government considers the "Unabomber" Ted Kaczynski an "eco-terrorist", his 16 actions make up a significant part of this 1.8% APT figure, despite having little in common with ALF/ELF politics, and no affiliation whatsoever with its activists.

Despite avoiding casualties, this history of frequent attack and infrequent arrest quickly garnered the attention of the FBI who began labeling "eco-terrorists" as the "one of the most active extremist elements in the United States", and calling their arsons "terrorist incidents."[49] The day after nearly 3,000 people lost their lives in the attacks of 9/11, US Congressman Greg Walden of Oregon stated to Congress that the ELF was a threat "no less heinous than what we saw occur yesterday in Washington and New York."[50] In 2005, the US Senate Committee on Environmental and Public Works hosted a session entitled "Oversight on Eco-Terrorism Specifically Examining the Earth Liberation Front ("ELF") and the Animal Liberation Front ("ALF")," wherein they claimed that the ALF and ELF constituted the "number one domestic terrorist threat."[51] Similar claims were made by Congressmen[52], Governors[53], FBI leadership[54], Senators running for President[55], as well as within testimony in the Senate Judiciary Committee[56]. This claim was not simply a rhetorically one either. Throughout the arrest and prosecution of ALF/ELF members, individuals were charged as *terrorists*, including through the use of "Terrorism Enhancements"[57], incarcerated in prisons designed to house terrorists (termed Communications Management Units), and charged with violating the Animal Enterprise Terrorism Act (AETA)[58], federal legislation that classifies economic damage to animal industries as domestic terrorism. If the reader thinks that such claims are in the past, they are wrong.

This rhetorical frame has filtered down to nearly every level from state legislatures to district judges. In December 2016, Nicole Kissane pled guilty in a plea deal to charges of conspiring to violate the AETA by releasing minks from fur farms, vandalizing a fur store, and vandalizing the home of the store's owner. At the sentencing phase of the trial, District Judge Larry Burns called the crimes a "campaign of terror against an industry"[59] and Acting U.S. Attorney Alana W. Robinson stated, "vandalizing homes and businesses with acid, glue and chemicals in the dark of night is a form of domestic terrorism."[60] Two additional activists, Tyler Lang and Kevin Olliff, were convicted for violating the AETA earlier in 2016 for the releasing of minks.[61] Certainly the absurdity of charging animal liberation vandals releasing minks as terrorists has not escaped legal advocates such as Rachel Meeropol, an attorney who helped to challenge the law. In her argument, Meeropol stated, "These [AETA] charges demean the definition of terrorism. They not only violate the defendants' individual rights, but also serve to chill the first amendment rights of an entire movement."[62] As their challenge to the court states, the law is unjustly applied, as in this case, "it punishes as an act of 'terrorism' non-violent theft of private property."[63]

The designation of the ALF/ELF as domestic terrorists, and infamously as the "number one domestic terrorist threat" is based on the frequency of their activity, *not* their lethality. While the networks have routinely utilized vandalism, sabotage, arson, and occasionally explosives to target *property*, these attacks have never killed a single individual![64] In fact, the ALF guidelines, which define the ability for an individual to claim their action as on behalf of ALF, task individuals with "tak[ing] all necessary precautions against harming any animal, human and non-human."[65] However, when data on their activity is compiled and reported, it is often misleading. For example, in compiled FBI and Department of Justice figures spanning 2001-2011, the ELF

and ALF are listed as the number one and number two most frequently attacking groups, with 84 attacks attributed to them in this period. These 84 attacks resulted in zero fatalities. The third most active group listed is al-Qaeda, with only four attacks, but 2,996 fatalities. Thus, while it is accurate to say that the ALF/ELF are quite active, to place them above a transnational terrorist network that has killed thousands appears misleading. As the ALF/ELF typically engages in misdemeanor criminal acts targeting property, many have challenged their inclusion in domestic terrorism taxonomies alongside networks such as al-Qaeda.

It is important to note that while the ALF and ELF exemplify this newly visible form of leftist activity, they are far from the only monikers used within this strategic and tactical historical array. In 1987, individuals in Arizona motivated by an environmental concern sabotaged a ski lift, claiming the action for the Evan Mecham Eco-Terrorist International Conspiracy (EMETIC). The small group would go on to carryout at least two other acts of sabotage, targeting the Fairfield Sun Bowl, and power lines emanating from a nuclear power plant. This four person cell, responsible for only three acts of sabotage, was the subject of intense investigation and infiltration by the FBI involving at least 50 agents[66], providing a preview for how the FBI would deal with similar actions in the years to come. Additional monikers created by individuals to represent their actions as part of a larger network were also common. For example, the moniker Coalition to Save the Preserves (CSP) was used to claim responsibility for eight arsons between 2000-2001[67] to halt development of lands in Arizona for new housing. These arsons appear to have been the work of a lone individual, Mark Sands, but are often discussed alongside those of the ELF as they shared its method and analysis.

In these cases, the actions of an individual—often presenting themselves as a group of individuals—are often represented as a coordinated campaign, rather than a few connected incidents by a lone perpetrator. In 2003, a single individual was responsible for detonating three explosive devices targeting businesses financially connected to Huntingdon Life Sciences, an animal breeding and testing company, claiming the attacks for the Revolutionary Cells—Animal Liberation Brigade. These small explosive devices were detonated at night, on separate dates, and damaged the exterior of the buildings, presenting little risk to life. The FBI subsequently linked the attacks to Daniel Andreas San Diego who has been considered a Most Wanted *Terrorist* by the FBI ever since.[68] It is worth noting that of the 28 people listed as Most Wanted Terrorists, San Diego is one of only two[69] American citizens who are non-Muslim, and responsible for crimes in the US. The other 26 individuals on the Most Wanted Terrorist list (including two US citizens[70]) are responsible for *lethal* attacks on US citizens coordinated in conjunction with foreign-based jihadist networks such as al-Qaeda. San Diego is the *only* individual on the list *not* accused or convicted of a lethal attack, nor an attack targeting living beings.

While incidents of so-called "eco-terrorism" were seemingly on the rise throughout the 1980s-1990s, a quantitative analysis demonstrates that they experienced a precipitous decline in 1998 and would continue to decline annually.[71] Interestingly, the movement cycle for these networks appears to function independently of what were once thought to be primary driving factors. Some have argued that Operation Backfire—a 2005 multi-agency operation which involved the arrest and conviction of the largest ELF/ALF cell on record—and the 2006 passage of the AETA, led to a rapid decline in movement activity, as the threat of federal prosecution and aggressive sentencing served to de-incentivize would-be activists. However, while there was a decline between 2005 and 2006, this is quite insignificant when compared to the decline beginning in 1998. The Operation Backfire report authored by the National Consortium for the Study of Terrorism and Responses to Terrorism reaches this conclusion as well after an incident-driven analysis,[72] noting that while the Operation did likely diminish the network, it had begun to decline independently in the years preceding.

The case of the 1990-2000 "eco-terrorists" presents a challenging historical puzzle in terms of applying labels. While these groups did not deploy lethal violence, nor did they target animate objects with any regularity, the activists and their networks remain classified as

"terrorists" due to the effectiveness and frequency of their strikes. Therefore when the FBI/DOJ describes these networks as "the most active criminal extremist element in the US" and that "eco-terrorism matters [are] a domestic terrorism investigation priority,"[73] one should take pause and questions whether this is truly justified.

'Whose streets? Our Streets?':
Summit Hopping & the Terrorization of Dissent

The final years of the 1990s saw the decline of aggressive animal liberation and eco-justice direct actions movements (i.e. "eco-terrorists"), but this militant vacuum was soon filled, and the actions of the past decades eclipsed with the rise of the so-called anti-globalization movement (AGM) and the notion of 'summit hopping.' During this time period (~1999-2002), a variety of international trade and financial summits were rallying points for large gatherings of the left, and frequently involved demonstrators engaging in illegal street marches, direct actions (e.g. street blockades), and property destruction. During this time, individual activists and affinity groups—small groups of activists structurally equivalent to a protest cell—'hopped' from summit to summit, crisscrossing the country and cross-pollinating communities along the way, while solidifying kinship networks and developing and practicing new skill sets. This era is best known for the 1999 mass demonstrations that forced the premature shut down of the World Trade Organization (WTO) ministerial in Seattle, as well as demonstrations opposing the International Monetary Fund and World Bank in Washington, DC, and broad-based marches and blockades surrounding the 2000 Republican National Convention in Philadelphia, ending in more than 400 arrests. During this era, the US witnessed the use and replication of black bloc tactics wherein demonstrators dress in a similar style to create an opaque mass of marchers. These blocs were able to frequently outmaneuver police, and move in relative safety as a unified mass.

The AGM, while far more akin to a broad-based, popular movement of large-scale marches and assemblies, was quickly recast by the state in terms of terrorism, in what could be termed the *terrorization* of dissent. This was largely done through linking the AGM to the tactics, strategies, and organizational methods of anarchists, and framing anarchism through a terroristic or extremist framework. As early as 1999, the FBI began to cast anarchists and leftist allies within the rhetoric of terrorism. In their discussion of "Left-Wing Terrorism" contained within its 1999 report, the FBI notes:

> Anarchists and extremist socialist groups—many of which have an international presence—also represent a latent but potential terrorist threat in the United States. Anarchists, operating individually and in groups, caused much of the damage during the November 30-December 3, 1999 World Trade Organization (WTO) ministerial meeting in Seattle, Washington.[74]

Before exploring this past history, it is helpful to begin in the present. At the time of writing (January 2017), the FBI maintains a website focused on "countering violent extremists"[75] domestically. The site begins by reminding the reader:

> The First Amendment to the U.S. Constitution guarantees free speech and religious liberty. People living in American are free to disagree with each other and with the government, but no one has the right to resort to violence as a means of expressing disagreement.[76]

The state repeats this logic in other venues, such as a 2012 report from the Congressional Research Service entitled "The Domestic Terrorist Threat: Background and Issues for Congress" which clarifies that while "anarchism" is an ideology, an "anarchist extremist" is one who embraces such an ideological position *and* "adopts criminal tactics."[77] To the critical reader, this should be very telling. The preamble states that while ideological positions cannot be

criminalized, ‘disagreeing with the government’ must be done through legal means—the implication being that to “resort to violence as a means of expressing disagreement”[78] is what *extremists* or *domestic terrorists* do.

While such statements are not surprising, without defining what is “violence” for the FBI, we find that the taxonomic distinctions that follow serve to criminalize oppositional politics while presenting material seeking to classify and describe. Further into the site, is a list exploring “Domestic Extremist Ideologies”[79], one can clearly observe the FBI’s domestic terrorism categorizations, listed as:

- Sovereign citizen extremists
- Animal rights and environmental extremists
- Anarchist extremists
- Abortion extremists
- Militia extremists
- White supremacy extremists[80]

In the details that follow, the FBI notes that “[anarchist extremists] damage property, cause riots and set off firebombs. In some cases, they have injured police officers.”[81] This is consistent with the DOJ and FBI’s policy to not list domestic terrorist *organizations,* but instead delineate domestic terrorist “threats”, which according to a DOJ white paper include “animal rights extremists, eco-terrorists, anarchists, anti-government extremists such as ‘sovereign citizens’ and unauthorized militias, [b]lack separatists, [w]hite supremacists, and anti-abortion extremists.”[82] In this phrasing, ‘anarchists’ are listed without the requisite ‘extremist’ descriptor, which by the FBI’s labeling logic, would imply that law-abiding anarchists were also included in this generalized understanding of the domestic terrorist threat.

This criminalized frame through which anarchism is presented exemplifies the manner through which leftists employing militant means are commonly recast as terrorists in the modern era. In the years since 9/11, it has become routine to see headiness such as “Men in black with a violent agenda”—an article dealing with anarchist protest tactics—which begins with the sentence, “They’re not Al-Qaeda, but they are a type of home-grown terrorism group [sic].”[83] This unwieldy use of the terrorism label has extended beyond anarchists as well to include those employing disruptive or attention-grabbing methods, such as two activists charged with a “terrorism hoax” after displaying a large Hunger Games themed banner inside the headquarters of Devon Energy as part of a demonstration against hydraulic fracturing, mining, and pipeline expansion.[84] Once again, what is remarkable in this case is the ability for the state to both rhetorically and legally present such charges, invoking the fear present in accusations of terrorism, for what would otherwise be dealt with as a symbolic act of (albeit disruptive) civil disobedience.

While the FBI does not claim that anarchism is a terroristic ideology (as long as it remains legal), it does infer this by discussing “anarchists and extremist social groups” within a report on domestic terrorism. In his 2002 report to the Senate Select Committee on Intelligence, Executive Assistant Director for Counterterrorism/Counterintelligence, Dale Watson states:

> Anarchists and extremist socialist groups…at times also represent a potential threat in the United States. For example, anarchists, operating individually and in groups, caused much of the damage during the 1999 WTO ministerial meeting in Seattle.[85]

The language used here is important. While Watson does not call the “anarchist and extremist socialist” activists *terrorists*, he does call them a “potential threat” and rhetorically links the destruction of corporate property carried out as part of the WTO demonstrations to a historical

record of domestic *terrorism*. Similarly, in an 2006 U.S. Department of Justice report focused on the "activities…[of] potential protesters at the 2004 Democratic and Republican National political conventions" it notes: "In addition to the threats posed by international terrorists, the FBI was especially concerned about the threats posed by anarchist groups."[86] The report goes on to link anarchists to "violent acts" carried out in protest of the WTO (Seattle, 1999), national political conventions (Philadelphia and Los Angeles, 2000), and the Free Trade Area of the Americas summit (Miami, 2003). Though not *explicitly* calling protestors terrorists, by speaking of them in the same breath as "international terrorists" (e.g. al-Qaeda), the rhetorical linkage is quite clear. For rhetoricians, the smashing of a Starbucks window becomes akin to the lethal conspiracies of Aryan Nations, or the assassin's bullets fired by an anti-abortionist. In this rhetorical reality, the term *terrorism* appears even more malleable and asymmetrically applied than originally imagined. It is in this new legal reality that on can explore a few cases, occurring in the 2010s, in the American Midwest.

Between 20-21 May 2012, in Chicago, Illinois, the North Atlantic Treaty Organization (NATO) held its summit in the US for the first time. As a result, a sizable number of protestors assembled in the city to show their dissent. Several days before the summit was set to begin, local police, in conjunction with the FBI and Secret Service[87], preemptively arrested Brian Church, Jared Chase and Brent Vincent Betterly, charging them with an Illinois anti-terrorism statute that had never before been used. In the 19 May 2012 court papers[88], the defendants are charged with three felonies: 1.) Material Support for Terrorism, 2.) Conspiracy to Commit Terrorism, and 3.) Possession of Explosives or Explosive or Incendiary Devices. These charges carried a parison sentence of 17-85 years. The evidence, gained through "covert investigation"[89], claims that the defendants conspired to attack police facilities with Molotov cocktails, and to use the police's distracted response to target further sites. The report details their preparations, ensuring to present the defendants as highly organized, well-armed domestic terrorists. Despite recurrent descriptions of "destructive devices" and "improvised explosive-incendiary devices,"[90] when it comes to a descriptive account of these preparations, the court papers describe the "devices" as "empty beer bottles that were filled with gasoline and fitted with fusing."[91] The "fusing" described is later said to be a bandana cut into pieces.[92] This reflects a trend in state-centric descriptions of political violence that tend to call incendiary devices "fire *bombs*"[93] which needlessly muddies important distinctions between devices designed to destroy property via fire (e.g. time-delayed incendiary device) and those designed to injure and kill through lethal force (e.g. a time-delayed explosive device).

Beyond the description of their actionable offenses, the court papers describe the NATO defendants as "self-proclaimed anarchists, and members of the 'Black Bloc' group, who traveled together…in preparation for committing terrorist acts of violence and destruction."[94] While the four defendants certainly planned disruptive and violent actions, is it accurate to label the construction of four accelerant-filled beer bottles as conspiring to commit terrorism? The subsequent grand jury indictment[95] lists eleven counts for which the three have been indicted. These charges include the previous charges, as well as conspiracy to commit arson, solicitation to commit arson, attempt arson, and unlawful use of a weapon. Such a judicial strategy is plain to interpret as the overcharging of dependents is done to:

> Give prosecutors more leverage in negotiating a plea deal later or in boosting their chances of securing at least some convictions if the case does eventually go to trial…prosecutors frequently use additional charges in an indictment as bargaining chips in later stages of the case, sometimes offering to drop the most serious charges if a defendant pleads guilty to lesser crimes.[96]

The public framing of three activists, aged 22-27, within a language of conspiracy and terrorism has a public disciplinary effect. The fear-inducing language served to detract media coverage of

the anti-NATO protests, delegitimize the political motivations of the defendants, and rhetorically link those opposing the summit to those seeking to undermine democratic means through violence. The state was able to frame the urgency of their police actions, and the threat of the attackers because of the preparatory steps taken towards violent ends. Yet despite these preparations, in reality the defendants posed little risk to life or property as the subjects were under police surveillance constantly. Undercover police were present during the construction of the Molotov cocktails, and according to the defendants' legal council, other undercover agents had "befriended" the defendants and "egged [them] on."[97]

In the second Midwest case, five defendants were arrested in Cleveland, Ohio and indicted for conspiracy to destroy a bridge via explosives. The defendants were arrested when they attempted to detonate ready made, yet inert explosive devices they believed to be active, having purchased them from an undercover federal agent. Despite the FBI's assertion that the public was never in danger due to the defendants' constant surveillance, US attorney Steven Dettelbach discussed the case stating, "These defendants were found to have engaged on terrorist activities and will spend nearly a decade in prison."[98] After their arrest, it was reveled that the police investigation was built around information provided by a confidential informant, Shaquille Azir, who was a convicted felon being paid by police. Previously, Azir had been arrested twice for passing bad checks while under FBI direction during the Cleveland case![99] According to the indictment, Azir, as the "confidential human source," began working for the FBI on 20 July 2011[100], and Azir was first arrested on 25 July 2011, and then again 22 December 2011 according to documents released by the Cuyahoga County Court of Common Pleas Criminal Court Division. Azir also has previous convictions for possession of cocaine, robbery, possession of stolen property, grand theft, and four additional counts of passing bad checks.[101]

Having been arrested himself during his cooperation with police, Azir had a clear motivation in providing his cooperation to the FBI. In the end, for their role in the bridge conspiracy, Douglas Wright received 11.5 years, Brandon Baxter received nine years and nine months, Connor Stevens received eight years and one month and Joshua Stafford received 10 years. In the end, District Court Judge David Dowd concludes that since the men's actions were designed to "intimidate the United States government"[102] they were thus planned as acts of *terrorism.* Additionally, while the FBI press release[103] quotes Attorney Dettelbach as stating "These defendants were found to have engaged in terrorist activities," none of those convicted were convicted of terroristic crimes.[104]

Such cases are increasingly common, and are reminiscent of the prosecution of eight organizers (known as the "RNC 8") who organized opposition to the 2008 Republican National Convention and were charged with "conspiracy to riot in furtherance of terrorism." Social movement journalist Will Potter writes that the NATO, Cleveland and RNC 8 cases all share three key elements in the state's criminalization of dissent:

1. FBI infiltration, and reliance on government informants to manufacture the 'plot'
2. Terrorism charges
3. Labeling the defendants 'self-proclaimed anarchists'…
4. Unveiling the 'domestic terrorism' arrests days before key protests[105]

Certainly, combined with the larger measures designed to chill dissent and emboldened by the newfound counter-terrorism focus post-9/11, the movements of the 2000s declined rapidly.

It is unclear what would have happened with the AGM if larger historical forces did not alter its course. In September 2001, when organizers were preparing large-scale disruptions targeting the Fall meetings of the International Monetary Fund and World Bank, the terrorist attacks of September 11 caused many protest organizers to cancel their planned marches to be held later that month, isolating those who decided to still march, such as the anarchist Anti-Capitalist Convergence. Following the smaller-than-expected showing at the anti-summit

marches in late September 2001, the AGM precipitously declined within a new rhetorical and corporeal reality that sough to associate any oppositional political militancy as an element in the Global War on Terror. During the years after 9/11, leftist social movements witnessed the use of militarized police raids, increased surveillance and infiltration[106], mass arrests, malicious prosecution, incarceration in Communication Management Units[107], and the prosecutorial use of Terrorism Enhancements[108], Federal Grand Juries, and statues such as the AETA and conspiracy laws which served to chill dissent and further marginalize so-called militants, leading to a generalized decline in the use of disruptive tactics in the years that followed.

'Make America Great Again':
The Riot-ization of Dissent

The intentional conflation of militant protest, civil disobedience, and anarchist politics with that of extremism, domestic terrorism and threats to national security was part of an intentional strategy to isolate, label, and defame a rising mood of collective resistance in the years around the millennium. While this may have reached an apex in the early 2000s, the 2016 elections promoted a wave of reactionary protests which is still unfolding, and which triggered a shift back towards a federal effort to criminalize dissent and chill political speech and disruptive, effective protest.

According to a review by the *Washington Post*, in less than two months of the new administration, "Republican lawmakers in at least 18 states have introduced or voted on legislation to curb mass protests in what civil liberties experts are calling 'an attack on protest rights throughout the states.'"[109] Though these laws vary in form, function, and scope, they share an overriding logic and spirit. It appears in many of the laws a new rhetorical and discursive reality is being crafted, one wherein militant and disruptive protest is termed "rioting" and the demonstrators thus become "rioters." In Missouri, anti-masking laws would ban the concealing of one's identity "while committing the crime of unlawful assembly or rioting"[110] including the use of gas masks and ventilators designed to aid demonstrators' breathing when confronted with tear gas and pepper spray used by police In Tennessee, a law introduced would indemnify drivers who hit a demonstrator with their car if the demonstrator is blocking traffic. Republican State Representative Matthew Hill, who advocates for the bill, said:

> If you want to protest, fine, I am for peaceful protesting, not lawless rioters…We don't want anyone to be hurt, but people should not knowingly put themselves in harm's way when you've got moms and dads trying to get their kids to school.[111]

Hill's comments show the subtle manner through which those blocking roadways in protest are quickly recast as "lawless rioters". In Arizona, the state senate voted to expand current racketeering laws designed to prosecute organized crime to include political demonstrations. The bill redefines "rioting" as actions that result in the damage of property and allows the government to prosecute and seize assets of everyone who planned or participated in a protest. In his defense of the law, Senator John Kavanagh stated, "You not have a situation where you have full-time, almost professional agent-provocateurs that attempt to create public disorder…A lot of them are ideologues, some of them are anarchists."[112] Not only does this framing again draw the connection between anarchists and violence, but by including *rioting* within the racketeering law, police are able to arrest protest organizers *before* a demonstration, if they have reason to believe property will be damaged.

The introduction of these bills appears timed to coincide with demonstrations opposing the newly elected administration of Donald Trump as President of the United States, though the active, broad-based, and disruptive campaigns simultaneously occurring under the Movement for Black Lives (i.e. #BlackLivesMatter) and anti-Dakota Access Pipeline (i.e. #NoDAPL)

movements should not be discounted. Other bills introduced or voted on in the first month of the Trump presidency include similar legislation in Florida, Georgia, Iowa, Indiana, Michigan, Minnesota, Mississippi, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Virginia and Washington.[113] The Oregon law requires public colleges and universities to expel a student convicted of participating in a riot, while a Virginia bill increases penalties for those who refuse to leave an unlawful assembly. In nearly all cases, the use of "rioting" replaces language such as *demonstrator, protestor* or *activist.*

These legislative steps have functioned in tandem with reports of police's increasing employment of aggressive surveillance technologies—typically reserved for national security and counter-terrorism cases. According to a report authored by *The Intercept*, surveillance technologies designed for military and intelligence purposes are increasingly being purchased by police departments, further blurring the line between policing and national security/counter-terrorism. Critics of these technologies note that they have been used to monitor citizens without search warrants, and that warrants when issued have been overly broad.[114] Some of these technologies appear to have wide usage already. The *Intercept* report states, "nearly 60 law enforcement agencies in 23 states are known to possess a Stingray [a cell site simulator designed to mimic cellular towers and track and/or monitor phone activity]."[115] According to the American Civil Liberties Union (ACLU), they have identified 71 agencies in 24 states with this technology.[116] According to the *Intercept* investigation, in one jurisdiction, Baltimore, Maryland, Stingray devices were used more than 4,300 times 2007-2015. Further investigations have also demonstrated that despite claims to the contrary, these technologies are *not* being used to investigate terrorism, as according to the ACLU, in 128 cases documents in Tacoma, Washington, none of these usages involved the purported task of preventing terrorism.[117] Nationally, at least 13 federal agencies are known to have used technologies that masquerade as a legitimate cell tower to collect cellular traffic wholesale, including the FBI, Drug Enforcement Administration, Secret Service, Immigration and Customs Enforcement, Marshals Service, Bureau of Alcohol Tobacco, Firearms, and Explosives, Internal Revenue Service, National Security Agency, and various branches of the military.[118]

Beyond laws that further criminalize some manners of protest, and communications technologies that facilitate mass surveillance, there appears to be a resurgent discourse equating oppositional politics with terrorism—especially anarchism. In one example, a 2017 report co-authored with the Department of Homeland Security and a North Carolina intelligence contractor, which focuses on a few incidents of property destruction in the run up to the election. These incidents, which includes the use of arson to damage a political office, are subtly discussed as "domestic terrorism", as the report states:

> DHS assesses that anger over the results of the 2016 Presidential election continues to be a driver of domestic terrorist violence throughout the United States — as evidenced by rioting in Portland, Oregon, following the election and violence and destruction of property in Washington during the inauguration.[119]

This framing, one which comingles undefined "domestic terrorism" with anti-Trump marches involving property destruction (i.e. "rioting"), is troubling to say the least. This is far more than a rhetorical frame as the previous legislative histories demonstrate. In one alarming example, more than 220 individuals arrested during a counter-inaugural march in Washington, DC (20 January 2017) which involved the destruction of property, have been charged *federally* with felony rioting, in an unprecedented *collective* prosecution that challenges firmly established jurisprudence based in the presumption of innocence, and the need for the state to present evidence against an individual defendant[120]. In this case, the rhetorical leap from *march* to *riot* takes a literal and juridical turn and becomes prosecutorial policy.

The securitized framing and counter-security measures deployed by law enforcement during public protests reflects a desire to understand a growing wave of popular protest as some manner of existential threat to the state; a national security issue undermining the democratic discourse of social change. This frame is repeated in security briefings and reports, including the abovementioned North Carolina assessment. It is worth noting that the DHS report does *not* note the rapid rise in Islamaphobic violence or the never before seen series of bomb threats and vandalism targeting Jewish institutions in North Carolina and elsewhere.[121] While such a framing of militant protest generally and anarchists specifically is on the accession, it is not a creation of the Trump administration. Below are some notable government releases that serve to equate anarchists, animal and earth liberationists (e.g. ALF and ELF), with terrorists and terrorism:

- **2008:** A report by the Missouri Information Analysis Center and the Missouri State Highway Patrol on the "anarchist movement" provides a history of anarchism and concludes, "we believe the [anarchist] groups discussed pose a significant domestic terrorist threat at this time…anarchists operate either as lone wolves, in small cells (3-4 members), or can, at times, rally as anonymous mobs."[122]
- **2009:** In a "terrorist, insurgent and militant group logo recognition guide" prepared by the US Army for its Training and Doctrine Command and Intelligence Support Activity, the ALF is listed as a terrorist network in the UK, and in the US the report lists the ALF, ELF, Earth First!, Animal Rights Militia, BLA, SLA, WUO and Puerto Rican separatists as "terrorists/extremists"[123], preceded by white supremacist, skinhead, neo-Nazi and anti-abortion networks[124] known to routinely deploy lethal violence.
- **~2011:** In an FBI training document unclassified prior to 2011, the agency describes "animal rights/environmental extremism" within policies and laws dealing with domestic terrorism.[125] In a similarly-styled presentation published by the agency's Domestic Terrorism Operations Unit profiles "anarchist extremists" in a 25-slide presentation. The heavily redacted materials describe anarchists engaging in legal, non-terroristic, mass convergences common in the anti-globalization era, noting that these networks have goals such as to "Create a political statement [,] Generate media coverage for their cause [, and] Disrupt law enforcement activity."[126] The fact that the Domestic Terrorism Operations Unit is briefing agents on anarchist protest methods, most of which is legal protected speech, is in itself troubling, and shows the blurring of the FBI's policing and national security/counter-terrorism focus.[127]
- **2012:** In a report authored by the Congressional Research Service and dealing with "The Domestic Terrorist Threat" the word "anarchist", and "anarchism" appear a combined total of 60 times in 66 pages. The report notes that the federal government "has used broad conceptualizations to describe domestic terrorism" noting that this "may lead to inconsistencies in the development and application of the law in the domestic terrorism arena."[128] This statement seems to acknowledge the subjective nature of legally determining the distinction between protest, civil disobedience, extremism, and terrorism.
- **2013:** In a DHS report detailing "homeland security threat[s]" 2008-2013, the author notes "animal-rights and environmental extremists are the most active domestic extremist groups, but white supremacists and militias are more violent."[129] The report notes that "leftwing extremists" include anti-capitalist, anti-globalization and anarchist philosophies.[130] This framing clearly draws comparisons between a legal protest movement (i.e. the anti-globalization movement) employing common methods of civil disobedience and 'extremism.' The report later notes that "violent anarchists, animal-rights, and environmental groups, promote leaderless resistance tactics including operating in small, autonomous cells or individually to elude detection and complicate law enforcement operations."[131] This framing serves to cast affinity groups and individual actions as akin to terrorist cells

In the contemporary movement, it is still unclear what effect these frames, rhetorics, and legal maneuverings will have on the waves of anti-Trump protests sweeping parts of the nation. From a review of the cases above it appears that while the state is moving to restrict the actions of the right which meet a definition of terrorism, the opposite is occurring when the left is the subject. For example, in the prosecution of Adam Purinton, charged with shooting three individuals, killing one, inside of a restaurant in Kansas. Purinton reportedly shouted "get out of my country" before shooting the men he believed were "middle eastern" but were in fact Indian. In this case, it is being argued that despite the shooter's obvious ethnic bias, since his actions were primarily motivated by a disagreement, and not a more generalized hatred of the ethnic group, the act is more akin to a hate crime than an act of domestic, anti-Arab/Indian/Asian terrorism.[132] Therefore, in this single example, there appears to be an effort to further tailor the application of the terrorist label, while for the left, the trend appears to be heading in the opposite direction towards a wider, more generalized application.

A Documentary History:
Domestic Leftist Terrorism Read Through the FBI

Finally, in developing a historical understanding of how leftist groups, networks, and methods are described, criminalized, and added to the lexicon of terrorism, it is helpful to examine the annual reports produced by the nation's premier domestic terrorism tracking agency, the FBI. Through a brief review of a series FBI reports (1996-2005)[133], we can see how the left has been described over time. The following account will focus on what attacks are highlighted nationally, as well as how the actions of leftists are described in these reports—and their centrality or marginality in the overall narratives.

1996 (FBI): This report focuses on three terrorist attacks by right-wing networks (i.e. Eric Robert Rudolph's attack of the Centennial Olympic Park, and a robbery and bombing by Phineas Priesthood) and notes:

> Threats from domestic terrorism continue to build as militia extremists…gain new adherents, stockpile weapons, and prepare for armed conflict with the federal government. The potential for domestic right-wing terrorism remains a threat.[134]

In their section dealing with "left-wing terrorism", the report highlights "Puerto Rican terrorist groups." The discussion concludes by stating: "Over the last three decades, leftist-oriented extremist groups posed the predominant domestic terrorist threat to the United States. In the 1980s the FBI dismantled many of these groups…and the threat has diminished."[135]

1997 (FBI): This report focuses on two incidents of terrorism, and two suspected incidents, none of which resulted in injury. The "suspected incidents" are bombings later attributed to Eric Rudolph, the anti-abortion, anti-LGBT, right-wing militant. The report also details a raid targeting the Ku Klux Klan who had conspired to carryout an armed robbery of a drug dealer. Similar plots by rightwing militias were also uncovered and disrupted. While leftist actions were not the focus of the previous year's report, in 1997 they are entirely excluded. To this end, not even the word "leftist" or "left-wing" is included in the report.[136]

1998 (FBI): This reports represents a shift from the previous two years. To begin with, the report's cover displays an iconic image of an arson carried out in Vail, Colorado by the ELF. The report details five terrorist incidents occurring in US territories, including three in Puerto Rico. The fourth incident is an anti-abortion bombing attributed to Eric Rudolph, and the fifth, the arson in Vail. According to the report, the arson "causes 12 million dollars in damage, but

resulted in no deaths or injuries."[137] The report plainly calls the arson an "act of domestic terrorism" and notes that two federal agencies and two police agencies were engaged in a joint investigation. The report also details numerous plots disrupted involving right-wing and militia movements such as The Order.

1999 (FBI): This report notes in the opening page:

> Despite fears of international plots in the United States, 1999 was, in fact, characterized by a sharp increase in domestic terrorism, driven by a troubling upswing in activity carried out by animal rights and environmental extremists. These special interest or single issue terrorists committed eight of the ten terrorist incidents recorded.[138]

The report details six ALF attacks and two ELF attacks, being careful to note that two of the ALF attacks "led to the deaths of lab animals."[139] Though the frequency of these attacks garner attention, their *terrorizing* role rings hollow when read in context. Directly after describing the ALF/ELF annual trend, the report states, "By contrast, the two-state shooting rampage of Benjamin Nathaniel Smith, a right-wing extremist…left two individuals dead and eight others wounded."[140] The sentence directly after reads, "A firearms attacks on a Jewish Community Center…[by a known Aryan Nations member] wounded three children, a camp counselor and a receptionist."[141] When placed side by side, the actions of those fighting in the name of animals and environment seems ill matched with those advocating white supremacy through shooting children on the basis of ethnicity and religion.

The remainder of the report details the attacks which include an ALF arson targeting circus vehicles in New Jersey, the theft of research animals from the University of Minnesota, the arson of a meat company in Oregon, the theft of "55 dogs implanted with pacemakers" from a laboratory in California, the theft of animals from a laboratory at the Western Washington University, the vandalism of laboratory equipment at Washington State University, the arson of a logging company in Oregon, and the arson of a facility at Michigan State University conducting experiments on genetically modified organisms. To underscore the point again, while the arson of property and theft of laboratory animals is illegal, it appears to differ wildly from the attacks the FBI reports to have prevented that year, including an Aryan Nations bombing in Cincinnati, the smuggling of 35 weapons to the Irish Republican Army, a financially-motivated plot to bomb a pipeline in Canada, the bombing of a propane storage facility in California, a conspiracy to steal weapons and ambush police by a militia member in Tampa, and a bombing by a known jihadist captured while trying to enter the country illegally.

2000-2001 (FBI): As one would expect, the 2001 report was focused around the attacks of September 11, 2001, and the ongoing threat posed by al-Qaeda and its allies. What is most notable about this report, is that despite the loss of nearly 3,000 human lives and numerous additional attacks on US forces abroad (e.g. USS Cole), the "In Focus" section of the report does not detail this threat, but instead is explicitly focused on "Trends in Animal Rights and Environmental Extremism."[142] It seems odd that immediately following the largest terrorist attack to ever occur on US soil—an attack that "claimed more lives than all previous acts of terrorism in the United States combined"[143]—the FBI remains focused on disrupting the campaign of property destruction being carried out by the ALF/ELF. In the chronology of the report, the FBI notes that all eight of the "terrorist incidents" recorded in 2000 were the work of ALF/ELF or its allies (e.g. Revenge of the Trees, Coalition to Save the Preserves). Of the 14 terrorist incidents occurring in 2001, ten were carried out by "eco-terrorists", two were bank robberies carried out by Clayton Wagner, an anti-abortion militant associated with the Army of God, and the last incident was the al-Qaeda attacks of September 11. Therefore, while the FBI does note that none of the attacks by leftists led to injury or death, the fact that all successful attacks in 2000, and the majority of

attacks in 2001 were the work of "eco-terrorists", this frequency seems to motivate the agency's sustained focus on the left's activities.

2002-2005 (FBI): This report, which spans four years, continues the trend witnessed in previous years. As the report states:

> In keeping with a longstanding trend, domestic extremists carried out the majority of terrorist incidents during this period [2002-2005]. Twenty three of the 24 recorded terrorist incidents were perpetuated by domestic terrorists. With the exception of a white supremacist's firebombing of a synagogue in Oklahoma City, Oklahoma, all of the domestic terrorist incidents were committed by social interest extremists active in the animal rights and environmental movements.[144]

Interestingly, in another recurring trend, the majority of the *prevented* acts of domestic terrorism was carried out by right-wing groups, and would have likely involved civilian fatalities. In this report, eight of the fourteen failed attacks are from right-wing groups based in a pro-militia, white supremacist, or anti-abortion politics. These plots involved shootings, the use of cyanide, and assassinations attempts targeting government facilities, healthcare clinics, religious sites, and individual ethnic, religious, and racial groups.

Homeland Security Threat Assessment: Evaluating Threats 2008-2013: The final report under review was published by the Department of Homeland Security (DHS). While originally envisioned as an umbrella agency including the FBI, final implementation of the DHS allowed the FBI to remain an independent agency. Therefore, the DHS report represents a somewhat independent (from the FBI) view on homeland security and domestic terrorism worth exploring.

In this report, the author notes that "far left" extremists are typically linked to "single issues" such as animal rights and the environment. This is a continuation of the FBI's taxonomy that separates "single issue extremists" (e.g. ALF, ELF) from "leftwing extremists" (e.g. anarchists, anti-capitalists).[145] Sometimes these are maintained as distinct categories, and sometimes that are flattened into a single label, displaying the flexibility through which this label is applied. For example, in the same report which distinguishes "single issue" and "left wing" extremists, the very next page states, "Leftwing extremists, such as violent anarchists, animal-rights, and environmental groups, promote leaderless resistance tactics including operating in small, autonomous cells or individually to elude detection and complicate law enforcement operations."[146]

During this time, other DHS and FBI reports focus on the perceived threat of "leftist"[147] or "eco-terrorist"[148] networks, specially mentioning "animal rights and environmental extremists" and "anarchist extremists", naming the ALF, ELF, Stop Huntingdon Animal Cruelty, the Animal Defense League, Earth First!, CrimethInc., the Ruckus Society and Recreate 68 specially.[149] This is similar to the 2011 "Domestic Terrorism and Homegrown Violent Extremism Lexicon" which maintains entries for "anarchist extremists", "animal rights extremists" and "environmental rights extremists".[150]

Conclusion

The history of leftist terrorism in the United States is largely a record of the changing discourse surrounding social protest, and the use of militant and illegal means within campaigns of political contestation. While the assassination of heads of state common in the 19th and 20th centuries may fit a standard definition of terrorism for some, when these political movements began to target *property* and actively avoid human causalities, the labeling of these tendencies marked an era of state efforts to reframe and repress methods of protest, and less an apt descriptor of the actors

themselves. The usage of the label of *terrorism* to describe animal liberation and environmental protest most clearly demonstrates this shift, as does the FBI's description of these networks of vandals as the 'number one domestic terrorism threat.'

From this history, the decision to label a particular individual, organization, network, or ideology as *terroristic* appears more reflective of the wider political context, and the implications this has for federal policy. Acts of political violence once thought of in criminal terms, have thus changed discursive form from remaining in the realm of policing, to now constituting existential threats to national security. Therefore, the history of domestic leftist terrorism cannot be divorced from the genealogy of the discourse used to label these movements, and it is through a careful examination of this historical record that one can observe the power of language, and the inherent authority of the state as a site of legalistic, rhetorical and discursive construction.

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accused of specific, identified, criminal acts. The police and prosecution have retained all cellphones, cameras and other devices upon arrest, and have offered hundreds of hour of video (e.g. traffic cameras, officer body cameras, CCTV located on businesses, social media postings, etc.) as evidence. Some defendants, including this author, have also had their social media accounts, cloud storage, and phone records subpoenaed during the Grand Jury phase.

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[142] U.S. Department of Justice, Federal Bureau of Investigation, "Terrorism 2000/2001," 26–29.

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